

## Message Text

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ACTION IO-06

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-10 EUR-12 NEA-10 RSC-01

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TO SECSTATE WASHDC 6394

INFO AMEMBASSY GUATEMALA

AMEMBASSY MEXICO

AMEMBASSY LONDON

AMEMBASSY KINGSTON

AMEMBASSY BRIDGETOWN

AMEMBASSY GEORGETOWN

AMCONSUL BELIZE

UNCLAS SECTION 1 OF 2 USUN 4083

E.O. 11652: N/A

TAGS: UNGA, BH, GT

SUBJ: BELIZE IN 29TH UNGA: GUATEMALAN AND MEXICAN

RIGHTS OF REPLY

REF: USUN 3681, 3686

DURING LAST DAY OF UNGA GENERAL DEBATE OCTOBER 10, GUATEMALAN PERMREP MALDONADO EXERCISED HIS RIGHT OF REPLY TO COMMENTS ON BELIZE IN GENERAL DEBATE SPEECHES OF BARBADOS, GUAYANA AND JAMAICA. MEXICANS THEN MADE SHORT STATEMENT "REPLYING TO GUATEMALANS". FOLLOWING IS TEXT THEIR STATEMENTS:

TEXT GUATEMALAN STATEMENT:

QUOTE

MR. MALDONADO-AGUIRRE (GUATEMALA) (INTERPRETATION FROM UNCLASSIFIED

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SPANISH): IN EXERCISING ITS RIGHT OF REPLY THE DELEGATION

OG GUATEMALA NOW COMES BEFORE THE GENERAL ASSEMBLY OF THE UNITED NATIONS TO SET FORTH ONCE AGAIN ITS POSITION IN RELATION TO BELIZE, WHICH CONSTITUTES AN INTEGRAL PART OF THE TERRITORY OF THE REPUBLIC BY VIRTUE OF HISTORY, LAW AND INTERNATIONAL JUSTICE.

THE REPRESENTATIVES OF GUYANA, JAMAICA AND BARBADOS HAVE IGNORED THE SITUATION OR HAVE DELIBERATELY OMITTED MENTION OF IT IN THEIR STATEMENTS IN THE GENERAL DEBATE IN EXPRESSING MISTAKEN JUDGEMENTS ON THE QUESTION IN ORDER TO DEFEND KNOWN INTERESTS.

IN HIS STATEMENT TO THIS ASSEMBLY ON 26 SEPTEMBER 1974, THE MINISTER FOR FOREIGN AFFAIRS OF GUATEMALA INDICATED THE CONDUCT AND POLICY OF MY GOVERNMENT AND COUNTRY ON THE MATTER OF BELIZE. HE WAS VERY CLEAR AND EXPLICIT WHEN HE SAID:

"AS IS WELL KNOWN BY THE STATES REPRESENTED IN THIS ASSEMBLY, THE POSITION OF GUATEMALA HAS ALWAYS BEEN IN SOLIDARITY WITH THAT OF THE COUNTRIES OF LATIN AMERICA AND OTHER CONTINENTS IN THE STRUGGLE TO ATTAIN THE LIBERATION OF ALL PEOPLES SUBJECTED TO COLONIAL REGIMES AND PARTICULARLY TO ELIMINATE THAT SYSTEM FROM AMERICAN TERRITORY. THERE ARE NUMEROUS PROOFS OF THIS ATTITUDE IN THE RECORDS OF VARIOUS COMMITTEES OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, PARTICULARLY THE FOURTH COMMITTEE, AS WELL AS OF THE GENERAL ASSEMBLY.

"IN THE SAME SPIRIT, GUATEMALA TOOK PART IN THE GROUP OF COUNTRIES THAT DREW UP THE TRANSCEDENTAL RESOLUTION 1514 (XV) OF THE GENERAL ASSEMBLY, WHICH INCLUDED A PARAGRAPH STATING THAT THE SELF-DETERMINATION OF PEOPLES MUST NOT SHATTER TOTALLY OR PARTIALLY THE NATIONAL UNITY OR INTEGRITY OF A COUNTRY, SINCE THAT WOULD BE INCOMPATIBLE WITH THE PURPOSES AND PRINCIPLES OF THE UNITED NATIONS CHARTER.

"WITH THAT RESERVATION ALONE, WHICH EXCLUDES THE SECESSION OF TERRITORIES FROM ITS SCOPE, GUATEMALA CONTINUES TO MAINTAIN ITS ANTI-COLONIALIST POSITION AND ITS FIRM ADHERENCE TO  
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THE PRINCIPLE OF THE SELF-DETERMINATION OF PEOPLES. IN THAT SPIRIT IT WILL SUPPORT EVERY ASSEMBLY RESOLUTION AIMED AT FREEING PEOPLES STILL SUBJECTED TO COLONIAL OPPRESSION.

"THE OBSOLETE, ANACHRONISTIC SYSTEM OF COLONIALISM STILL PERSISTS IN THE AMERICAS AND IN SOME ENCLAVES OCCUPIED BY EXTRAHEMISPHERIC POWERS, DESPITE THE FACT THAT SOVEREIGNTY

OVER THEM LEGALLY BELONGS TO AMERICAN STATES. SUCH IS THE CASE OF THE GUATEMALAN TERRITORY OF BELIZE, THE RESTITUTION OF WHICH FROM THE POSSESSION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND HAS BEEN DEMANDED BY MY COUNTRY FOR MORE THAN A CENTURY. THIS CLAIM HAS BEEN MAINTAINED UNINTERRUPTEDLY, BASED AS IT IS ON UNIMPEACHABLE LEGAL PRINCIPLES AND ALL KINDS OF EFFORTS HAVE BEEN MADE, WITHIN THE CANONS OF INTERNATIONAL LAW, IN THE SEARCH FOR A SOLUTION.

"IN THE LAST 10 YEARS NEW ROADS HAVE BEEN ZEALOUSLY EXPLORED, AND NUMEROUS FORMULAS HAVE BEEN TRIED IN AN EFFORT TO RECONCILE THE JUST CLAIMS OF THE GUATEMALAN NATION, AS WELL AS ITS LEGITIMATE RIGHTS OVER THE TERRITORY WHICH WAS TAKEN FROM IT, WITH THE VERY RESPECTABLE ASPIRATIONS OF THE PEOPLE OF BELIZE, WHO ALSO ARE INTERESTED IN FREEING THEMSELVES FROM COLONIAL DOMINATION, AND TO WHOM MY GOVERNMENT REITERATES ITS FEELINGS OF SINCERE FRIENDSHIP AND OF RESPECT FOR THEIR LOCAL TRADITIONS AND INSTITUTIONS.

"WE TRUST THAT THE DIALOGUE WILL CONTINUE BETWEEN THE PARTIES TO THIS CENTURY-LONG DISPUTE, WITH NO EFFORTS SPARED TOWARDS A SOLUTION THAT WOULD SATISFACTORILY RECONCILE GUATEMALA'S TERRITORIAL RIGHTS WITH THOSE OF THE PEOPLE OF BELIZE.

"IN THE MEANTIME, UNTIL THERE IS SUCH AN UNDERSTANDING THAT WILL PERMANENTLY ENSURE THE PEACE OF THE REGION, GUATEMALA ONCE AGAIN EXPRESSES ITS DECISIVE RESERVATION WITH REGARD TO ITS SOVEREIGN RIGHT OVER THE TERRITORY OF BELIZE, AT PRESENT OCCUPIED BY THE UNITED KINGDOM OF GREAT BRITAIN AND NORTH IRELAND." (2245TH MEETING, PP. UNCLASSIFIED

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88-90 AND 91) THE ONLY BASIS FOR THE PRESENCE OF GREAT BRITAIN IN BELIZE IS THE "FREE UTILIZATION" WHICH SPAIN GRANTED IT IN 1783 AND 1786, SO THAT ENGLISH NATIONALS COULD CUT LUMBER IN A LIMITED AREA OF 6,000 SQUAR KILOMETRES, FROM THE HONDO RIVER IN THE NORTH TO THE SIBUN RIVER IN THE SOUTH, WITH THE EXPLICIT PROVISION THAT THIS CONCESSION IN NO WAY AFFECTED THE SPANISH RIGHTS OF SOVEREIGNTY IN THAT REGION, A RESERVATION OF SOVEREIGNTY WHICH WAS FIRMLY REITERATED, IN PARTICULAR IN 1814 WHEN THE MADRID TREATY RENEWED THE SAME CONCESSION OF SIMPLE UTILIZATION.

THE PROCLAMATION OF INDEPENDENCE OF CENTRAL AMERICA IN 1821 ENCOMPASSED THE TERRITORIES OF THE OLD CAPTAINCY GENERAL OF GUATEMALA, AS WELL AS ALL THE SOVEREIGN RIGHTS OF SPAIN OVER THE TERRITORY, WHICH WITHOUT EXCEPTION PASSED

IN THEIR ENTIRETY TO CENTRAL AMERICA ACCORDING TO THE PRINCIPLE OF RES INTER ALIAS ACTA.

WHEN THE CENTRAL AMERICAN FEDERATION WAS DISSOLVED, THE TERRITORY OF BELIZE REMAINED WITHIN THE STATE OF GUATEMALA, WITHOUT ANY LIMITATION, BY THE PRINCIPLE OF UTI POSSIDETIS JURE AND, FURTHERMORE, CENTRAL AMERICA, AND THUS GUATEMALA, CAME INTO BEING AS INDEPENDENT STATES FREE FROM ANY COMMITMENT CONTRACTED BY METROPOLITAN SPAIN, IN ACCORDANCE WITH A BASIC PRINCIPLE OF INTERNATIONAL LAW.

GREAT BRITAIN HAS SEVERAL TIMES RECOGNIZED ITS LACK OF SOVEREIGNTY IN BELIZE: FIRST IN 1836 WHEN GUATEMALA WAS ALREADY INDEPENDENT, IN REQUESTING FROM THE GOVERNMENT OF SPAIN THE TRANSFER OF ITS SOVEREIGN RIGHTS IN BELIZE, A REQUEST DENIED ON THE BASIS OF THE FACT THAT INDEPENDENCE HAD BEEN CONSUMMATED AND THAT IT WAS NO LONGER FOR SPAIN TO DECIDE AND, LATER, IN 1847 WHEN IT CONCLUDED WITH GUATEMALA THE TREATY OF TRADE AND NAVIGATION, IN WHICH IT ACCEPTED THE EXPLICIT RESERVATION OF THE SOVEREIGN RIGHTS OF THE REPUBLIC OF GUATEMALA OVER BELIZE.

CENTRAL AMERICA, WHICH HAD JUST RECENTLY ATTAINED INDEPENDENCE, WAS THEN POLITICALLY AND MILITARILY WEAK AND REPRESENTED AREAS MOST VULNERABLE TO THE TERRITORIAL AMBITIONS OF THE  
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POWERS WHICH WERE INTERESTED IN BUILDING AND CONTROLLING THE INTER-OCEANIC ROUTE WHICH WOULD UNITE THE ATLANTIC AND THE PACIFIC. THAT IS WHY, WITHOUT ITS CONSENT, THE TERRITORIAL INTEGRITY FIRST OF CENTRAL AMERICA AND THEN OF GUATEMALA, WERE AFFECTED.

BECAUSE OF THE OBVIOUS INEQUALITIES BETWEEN THE POWERS AND THE WEAK YOUNG REPUBLIC, THE ANGLO-Guatemalan CONVENTION, AS IT IS CALLED, WAS IMPOSED ON GUATEMALA IN 1859, A CONVENTION WHICH HAD BEEN AGREED TO BY TWO GREAT POWERS IN 1856 WITHOUT THE CONSENT OF GUATEMALA. THAT CONVENTION CONTAINED A COMPULSORY YIELDING OF TERRITORY, WHICH EXTENDED THE INVASION OF THE LUMBERJACKS FROM ENGLAND FROM 6,000 SQUARE KILOMETRES OF THE ORIGINAL CONCESSION TO 22,000 SQUARE KILOMETRES OF THE TERRITORY OF GUATEMALA, WHICH WERE ILLEGALLY USURPED, THUS VIOLATING THE TERRITORIAL INTEGRITY OF A SMALL STATE. UNDER THE ILLEGAL CONVENTION, THE LIMITS OF THE CONCESSION WERE EXTENDED TO THE SARSTUN RIVER IN THE SOUTH, A ZONE WHICH WAS NEVER INCLUDED IN THE OFFICIAL GEOGRAPHICAL MAPS OF ENGLAND, WHICH WERE REPEATEDLY DRAWN UP TO TERMINATE THEIR USE, NOW CALLED "ESTABLISHMENT". A COMPENSATION WAS OFFERED TO GUATEMALA IN ARTICLE VII

OF THE CONVENTION, WHICH WAS NEVER COMPLIED WITH BY ENGLAND,  
AND FOR THAT REASON GUATEMALA DECLARED THAT THE CONVENTION  
HAD LAPSED ON 9 APRIL 1946. THE LEGITIMATE CLAIM OF THE  
COMPULSORILY DISMEMBERED TERRITORY IS CALLED "EXPANSIONIST  
AMBITION" BY ONE REPRESENTATIVE. CERTAINLY, THIS EXPRESSION  
CANNOT BE APPLIED TO GUATEMALA, BUT IT CAN BE APPLIED TO  
THE OTHER PARTY TO THE DISPUTE AND TO THOSE WHO COVER  
UP ITS INTERESTS.

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TO SECSTATE WASHDC 6395

INFO AMEMBASSY GUATEMALA

AMEMBASSY MEXICO

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AMEMBASSY KINGSTON

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AMEMBASSY GEORGETOWN

AMCONSUL BELIZE

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GUATEMALA HAS SINCE THEN SOUGHT TO RECOVER ITS TERRITORY  
OF BELIZE WITHIN THE FRAMEWORK OF THE MANDATE OF THE UNITED  
NATIONS CHARTER, THE CHARTER OF THE ORGANIZATION OF AMERICAN  
STATES AND INTERNATIONAL LAW, IN ORDER TO SUBMIT ITS  
CLAIM THROUGH PEACEFUL PROCEDURES FOR THE SETTLEMENT OF  
DISPUTES. THIS IT PROPOSED SUBMITTING THE QUESTION TO THE  
INTERNATIONAL COURT OF JUSTICE FOR A DECISION (EX AEQUO  
ET BONO), AS PROVIDED IN PARAGRAPH 2 OF ARTICLE 38 OF  
THE STATUTE OF THAT COURT, SO AS TO START A BROAD CONSIDERATION  
OF THE DISPUTE IN ALL ITS IMPLICATIONS; BUT THIS WAS NOT  
AGREED TO BY THE OTHER PARTY. MANY YEARS OF DIRECT NEGOTIATION

HAVE ELAPSED, SOMETIMES WITH THE GOOD OFFICES OF THE UNITED STATES OF AMERICA, SOMETIMES THROUGH MEDIATION AND, UNTIL A SHORT TIME AGO, AGAIN BY DIRECT NEGOTIATIONS, WHICH WERE INTERRUPTED WHEN, WITH A GREAT DISPLAY OF LAND, AIR AND SEA FORCES WE WERE THE TARGET OF INTIMIDATING MANOEUVRES. IN ALL THESE EFFORTS BY MY COUNTRY SEVERAL PLANS HAVE BEEN DRAWN UP AS A RESULT OF THE EXERCISE OF THE PEACEFUL MEANS BY WHICH MY COUNTRY HAS EARNESTLY SOUGHT TO SETTLE THE

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DISPUTE IN TERMS THAT ARE EQUITABLE TO ALL PARTIES, NATURALLY TAKING INTO ACCOUNT THE CHARACTERISTICS OF THE POPULATION OF BELIZE. THESE ATTEMPT HAVE FAILED BUT THE CAUSE OF THESE FAILURES CANNOT BE ATTRIBUTED TO GUATEMALA.

WE MUST MAKE IT CLEAR THAT THIS DISPUTE IS BETWEEN CLEARLY DEFINED PARTIES AND THAT WE WILL IN NO WAY PERMIT THE INTERFERENCE OF OTHER STATES IN THE INTERNAL AFFAIRS OF OUR COUNTRY, NOR WILL WE ALLOW ANYONE TO VIOLATE OUR TERRITORIAL INTEGRITY, WHATEVER PRETEXT MAY BE USED, WHATEVER CONCEALED INTERESTS ARE BEING DEFENDED.

BELIZE, AS A PART OF THE TERRITORY OF GUATEMALA IS CALLED UPON TO SHARE IN A HISTORIC, SOCIAL AND ECONOMIC UNION THROUGH A PROCESS OF INTEGRATION WHICH WE ALL EARNESTLY SEEK FOR THE JOINT CENTRAL AMERICAN EFFORT OF INTEGRAL DEVELOPMENT. AN EQUITABLE SOLUTION MUST BE BASED ON REALITIES THAT ARE JUST FOR ALL.

MY GOVERNMENT HAS OFFICIALLY EXPRESSED ITS UNCHANGING RESOLVE TO CONTINUE DIRECT NEGOTIATIONS WITH ENGLAND SO AS TO ATTAIN THAT END HONESTLY AND FIRMLY. THE UNITED NATIONS CHARTER, ARTICLE 2, PARAGRAPH 4, GENERAL ASSEMBLY RESOLUTION 1514 (XV), PARAGRAPH 6, AND RESOLUTION 2625 (XXV) ENSHRINE THE PRINCIPLE OF TERRITORIAL INTEGRITY IN IRREVOCABLE FORM AS BEING FUNDAMENTAL IN ALL INTERNATIONAL RELATIONS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY. THE CHARTER STATES:

"ALL MEMBERS SHALL REFRAIN IN THEIR INTERNATIONAL RELATIONS FROM THE THREAT OR USE OF FORCE AGAINST THE TERRITORIAL INTEGRITY OF POLITICAL INDEPENDENCE OF ANY STATE, OR IN ANY OTHER MANNER INCONSISTENT WITH THE PURPOSES OF THE UNITED NATIONS." RESOLUTION 1514 (XV) WHICH I HAVE MENTIONED AND WHICH IS THE BASIS FOR THE SELF-DETERMINATION OF PEOPLES, STATES IN PARAGRAPH 6:

"ANY ATTEMPT AIMED AT THE PARTIAL OR TOTAL DISRUPTION OF THE NATIONAL UNITY AND THE TERRITORIAL INTEGRITY OF A COUNTRY

IS INCOMPATIBLE WITH THE PURPOSES AND PRINCIPLES OF THE CHARTER  
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OF THE UNITED NATIONS." ONE CANNOT, THEREFORE, SPEAK  
OF SELF-DETERMINATION AT THE EXPENSE OF THE TERRITORIAL  
AND NATIONAL INTEGRITY OF A MEMBER STATE.

GENERAL ASSEMBLY RESOLUTION 2625 (XXV) WHICH CONTAINS  
THE DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW CONCERNING  
FRIENDLY RELATIONS AND CO-OPERATION AMONG STATES IN ACCORDANCE  
WITH THE CHARTER OF THE UNITED NATIONS, ESTABLISHES THE  
PRINCIPLES OF EQUAL RIGHTS AND SELF-DETERMINATION OF  
PEOPLES AND SURROUNDS THIS WITH ALL THE GUARANTEES AND  
CONDITIONS FOR ITS SPECIFIC DETERMINATION, BUT ON THE BASIS  
OF CLEAR AND UNMISTAKEABLE ASSUMPTIONS. THIS RESOLUTION,  
WHICH WAS UNANIMOUSLY ADOPTED BY ALL STATES MEMBERS OF  
THE UNITED NATIONS, ALSO CLEARLY AND UNEQUIVOCALLY STATES:

"NOTHING IN THE FOREGOING PARAGRAPHS SHALL BE CONSTRUED  
AS AUTHORIZING OR ENCOURAGING ANY ACTION WHICH WOULD DISMEMBER  
OR IMPAIR, TOTALLY OR IN PART, THE TERRITORIAL INTEGRITY  
OR POLITICAL UNITY OF SOVEREIGN AND INDEPENDENT STATES ..."

THE NINTH INTER-AMERICAN CONFERENCE WHICH MET IN BOGOTA  
IN 1948 MADE THE MOST CLEAR-CUT  
ANTI-COLONIALIST CONTENTAL DECLARATION. IT CLEARLY AND  
SPECIFICALLY DETERMINED THE STATUS OF THE TERRITORIES  
OF THE MALVINAS ISLANDS AND BELIZE AS INTEGRAL PARTS OF  
ARGENTINA AND GUATEMALA BY DESCRIBING THEM AS BEING  
ILLEGALLY HELD BY AN EXTRA-CONTINENTAL POWER AND AS HAVING  
THE STATUS OF OCCUPIED TERRITORIES, THE CONNOTATION OF WHICH IS  
TOTALLY DIFFERENT FROM THAT OF A COLONY OR TERRITORY  
UNDER TRUSTEESHIP. IN 1968 BY RESOLUTION OF THE CONFERENCE,  
THE SUPREME ORGAN OF THE INTER-AMERICAN SYSTEM AT THAT DATE,  
THE SECRETARIAT PREPARED A STUDY ON THE NON-SELF-  
GOVERNING TERRITORIES WHICH WERE STILL SUBJECT TO A COLONIAL  
REGIME AND LIKEWISE THE TERRITORIES OF THE MALVINAS  
ISLANDS AND BELIZE WERE NOT INCLUDED IN THAT CATEGORY  
BECAUSE THEY WERE CONSIDERED TO BE TERRITORIES WHICH WERE  
INTEGRAL PARTS OF THE TERRITORY OF ARGENTINA AND GUATEMALA,  
RESPECTIVELY, AND THAT AGAIN GAVE THEM THE STATUS OF  
OCCUPIED TERRITORIES.

THIS YEAR THE GENERAL ASSEMBLY OF THE ORGANIZATION OF AMERICAN  
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STATES, AT THE MEETING HELD IN THE CITY OF ATLANTA, AGAIN TOOK COGNIZANCE OF THE SITUATION OF THE TERRITORIES SUBJECT TO COLONIAL RULE, AND ESTABLISHED THE FACT THAT THE MALVINAS ISLANDS AND BELIZE CONTINUED TO BE TERRITORIES WHICH WERE OCCUPIED BY AN EXTRA-CONTINENTAL POWER, AND THEREFORE WERE EXCLUDED FROM CONSIDERATION AS COLONIAL TERRITORIES OR TERRITORIES SUBJECT TO TRUSTEESHIP.

GUATEMALA HAS ALWAYS FOLLOWED THE CONDUCT OF RESPECT FOR HUMAN RIGHTS AND RESPECT FOR THE INDEPENDENCE AND SOVEREIGNTY OF NATIONS. THERE ARE MANY HISTORICAL PRECEDENTS WHICH SHOW HOW A SMALL COUNTRY HAS BEEN IN THE VANGUARD IN DEFENCE OF THE PRINCIPLES OF JUSTICE AND LAW. WE HAVE ALSO PROVED OUR GENUINE LINK WITH THOSE PRINCIPLES BY CONDEMNING THE POLICY OF APARTHEID, AND EVERY KIND OF DOMINATION, DEMANDING RESPECT FOR THE LEGAL EQUALITY OF STATES, CALLING FOR THE ECONOMIC SECURITY OF DEVELOPING COUNTRIES, AND ADHERING TO POLICIES WHICH PROMOTE THE PEACEFUL SOLUTION OF INTERNATIONAL DISPUTES. FOR THESE REASONS WE FEEL CERTAIN THAT THE JUST CLAIM OF GUATEMALA OVER AN INTEGRAL PART OF ITS TERRITORY WILL ENJOY THE SUPPORT OF PEOPLES WHO UPHOLD THE SAME PRINCIPLES OF PEACE AND JUSTICE. UNQUOTE.

TEXT MEXICAN STATEMENTS QUOTE MY DELEGATION HAS STATED SEVERAL TIMES AT PAST SESSIONS OF THE GENERAL ASSEMBLY MEXICO'S POSITION ON BELIZE. WE DO NOT THINK IT NECESSARY TO REPEAT OUR POSITION TODAY, BUT WE DO WISH TO PLACE ON RECORD, BECAUSE OF THE STATEMENT MADE BY THE REPRESENTATIVE OF GUATEMALA, THAT OUR POSITION REMAINS THE SAME. UNQUOTE.  
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